

**U.S. DISTRICT COURT**  
**U.S. District Court, Western District of New York (Buffalo)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-00417-RJA-LGF**

Pickering v. U.S. Department of Justice et al  
Assigned to: Hon. Richard J. Arcara  
Referred to: Hon. Leslie G. Foschio  
Related Cases: [1:14-cv-00330-RJA-LGF](#)  
[1:19-cv-00001-LGF](#)  
[1:19-cv-00319-LGF](#)

Date Filed: 03/31/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

Cause: 05:552 Freedom of Information Act

**Plaintiff**

**Leslie James Pickering**

represented by **Michael Kuzma**  
1893 Clinton Street  
Buffalo, NY 14206  
(716) 822-7645  
Fax: 716-823-1815  
Email: [kuzma\\_michael@hotmail.com](mailto:kuzma_michael@hotmail.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. Department of Justice**

represented by **Michael S. Cerrone**  
U.S. Attorney's Office  
Federal Centre  
138 Delaware Avenue  
Buffalo, NY 14202  
716-843-5851  
Fax: 716-551-3196  
Email: [michael.cerrone@usdoj.gov](mailto:michael.cerrone@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Department of Homeland Security**

represented by **Michael S. Cerrone**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/31/2019	<u>1</u>	COMPLAINT against All Defendants \$ 400 receipt number 0209-3405676, filed by Leslie James Pickering. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons)(Kuzma, Michael) (Entered: 03/31/2019)
04/01/2019		Case assigned to Hon. Richard J. Arcara. Notification to Chambers of on-line civil case opening. (SG) (Entered: 04/01/2019)
04/01/2019		Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form (AO-85) is available for download at <a href="http://www.uscourts.gov/services-forms/forms">http://www.uscourts.gov/services-forms/forms</a> . (SG) (Entered: 04/01/2019)
04/01/2019		AUTOMATIC REFERRAL to Mediation The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution">http://www.nywd.uscourts.gov/alternative-dispute-resolution</a> (SG) (Entered: 04/01/2019)

04/01/2019	<u>2</u>	Summons Issued as to U.S. Department of Homeland Security, U.S. Department of Justice (Attachments: # <u>1</u> summons issued) (SG) (Entered: 04/01/2019)
04/19/2019	<u>3</u>	AFFIDAVIT of Service for Summons and Complaint served on Mark Witzleben, United States Attorney's Office, on April 12, 2019, filed by Leslie James Pickering. (Kuzma, Michael) (Entered: 04/19/2019)
04/19/2019	<u>4</u>	AFFIDAVIT of Service for Summons and Complaint served on U. S. Department of Homeland Security on April 12, 2019, filed by Leslie James Pickering. (Kuzma, Michael) (Entered: 04/19/2019)
07/04/2019	<u>5</u>	AFFIDAVIT of Service for Summons and Complaint <i>on U. S. Department of Justice</i> served on Mark Witzleben, United States Attorney's Office, on June 18, 2019, filed by Leslie James Pickering. (Kuzma, Michael) (Entered: 07/04/2019)
07/25/2019	<u>6</u>	AFFIDAVIT of Service for Summons and Complaint <i>on U. S. Department of Justice</i> on July 23, 2019, filed by Leslie James Pickering. (Kuzma, Michael) (Entered: 07/25/2019)
08/15/2019	<u>7</u>	ANSWER to <u>1</u> Complaint by U.S. Department of Justice, U.S. Department of Homeland Security.(Cerrone, Michael) Modified on 8/16/2019 to add filer (SG). (Entered: 08/15/2019)
08/16/2019		E-Filing Notification: <u>7</u> ANSWER to <u>1</u> Complaint Modified on 8/16/2019 to add filer U.S. Department of Homeland Security (SG). (SG) (Entered: 08/16/2019)
08/16/2019		ADR Plan electronically forwarded to attorneys. The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution">http://www.nywd.uscourts.gov/alternative-dispute-resolution</a> . (SG) (Entered: 08/16/2019)
08/19/2019	<u>8</u>	TEXT ORDER REFERRING CASE to Magistrate Judge Hon. Leslie G. Foschio. The Magistrate Judge is hereby designated to act in this case as follows: Pursuant to 28 U.S.C. Section 636(b)(1)(A) and (B), all pre-trial matters in this case are referred to the above-named United States Magistrate Judge, including but not limited to: (1) conduct of a scheduling conference and entry of a scheduling order pursuant to Fed. R. Civ. P. 16, (2) hearing and disposition of all non-dispositive motions or applications, (3) supervision of discovery, and (4) supervision of all procedural matters involving the aforementioned or involving the preparation of the case or any matter therein for consideration by the District Judge. The Magistrate Judge shall also hear and report upon dispositive motions for the consideration of the District Judge pursuant to 28 U.S.C. Section 636(b)(1)(B) and (C). All motions or applications shall be filed with the Clerk and made returnable before the Magistrate Judge. The parties are encouraged to consider the provisions of 28 U.S.C. Section 636(c) governing consent to either partial or complete disposition of the case, including trial if necessary, by the Magistrate Judge. Consent forms are available from the office of the Magistrate Judge or the office of the Clerk of Court. IT IS SO ORDERED. Issued by Hon. Richard J. Arcara on 8/19/2019. (LAS) (Entered: 08/19/2019)
08/27/2019	<u>9</u>	ORDER. Scheduling Conference set for 10/1/2019 11:30 AM before Hon. Leslie G. Foschio. Signed by Hon. Leslie G. Foschio on 8/27/2019. (SDW) (Entered: 08/28/2019)
10/01/2019	<u>10</u>	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Scheduling Conference held on 10/1/2019. Case management order discussed, same to be filed by the court. Appearances: Michael Kuzma, Esq. w/ Plaintiff / Dft: AUSA Michael Cerrone (Court Reporter FTR Gold.) (SDW) (Entered: 10/01/2019)